

**Exhibit to Fourth Declaration of Stewart F. Aly
Index of Documents Denied in Full**

ID#	Subject & Description of Challenged Document	Applicable Exemptions
A-73	This document is a memorandum dated October 27, 2004 addressed to the Director of the Joint Staff from the Deputy Assistant Secretary of Defense for Detainee Affairs. It is titled "Detainee Abuse Allegation."	<u>Exemption One</u> This document is currently and properly classified under Executive Order 12958, as amended sections 1.4(a) and (d), which pertain to military operations and foreign relations of the United States. It discusses detailed classified information required for a potential response to an inquiry from a foreign government. This memorandum provides information for use in internal Defense Department deliberations on the content of the proposed response. Release of such classified information would cause damage to the national security, as internal deliberations and negotiating positions of the United States Government in the course of the relations between the United States Government and a foreign government or international organization must be classified to protect the ability of the United States to conduct relations with the other party, and with third parties who may be referred to in such deliberations.